

**Carlos Hernández**  
Mayor

**Paul B. Hernández**  
President

**Oscar De la Rosa**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Jacqueline Garcia-Roves**  
**Monica Perez**  
**Jesus Tundidor**  
**Carl Zogby**

## City Council Meeting Agenda December 10, 2019 7:00 P.M.

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Call to Order

**REPORT: Council Vice President called the meeting to order at 7:06 p.m.**

Roll Call

**REPORT: City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council Vice-President Oscar De la Rosa
- Councilwoman Katharine Cue-Fuente (*arrived at 7:09 p.m.*)
- Councilwoman Jacqueline Garcia-Roves
- Councilman Carl Zogby

**REPORT: The following Council Members were absent:**

- Council President Hernandez
- Councilwoman Perez
- Councilman Tundidor

**REPORT: Also present were:**

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation given by Marbelys Fatjo, City Clerk

**REPORT: Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance to be led by Council President Hernandez

**REPORT: Council Vice President De la Rosa led the Pledge of Allegiance.**

## **MEETING GUIDELINES**

*The following guidelines have been established by the City Council:*

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

**REPORT: The meeting guidelines were read into the record by Marbelys Fatjo, City Clerk, in English and by Brigitte Leal, Office Coordinator, Office of the City Clerk, in Spanish.**

### **1. PRESENTATIONS**

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- Presentation by Alejandro Vilarello, Esq., regarding the designation of an area in the City of Hialeah as the "Amelia District". (ADMINISTRATION)

#### **PRESENTED**

- Mayor Hernandez and the City of Hialeah recognize the Champagnat Catholic School Lions 2019 for winning the Class 2A state football title. The following individuals are recognized for their efforts and achievement:
  - Hector Clavijo (Head Coach)
  - Danny Clavijo (Defensive Coordinator)
  - Wilkie Perez (Offensive Coordinator)
  - Isabel Alonso (Athletic Director/School Owner)
  - Nuria Alloza-Sanchez (School Principal)

#### **PRESENTED**

## **2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA**

- The Fire Department agenda letter to Administrative Item 4C has been updated to reflect the correct expenditure amount.
- Backup to Administrative Items 4C and 4D have been updated and placed on the dais for the City Council's review.
- Item PZ 1 has been postponed until January 14, 2020 per the applicant's request.
- Additional backup to Item PZ 2 has been placed on the dais for the City Council's review.
- The application for Item LU 3 has been withdrawn by the applicant.

## **3. CONSENT AGENDA**

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

**REPORT: Mayor Hernandez requested separate discussion on Consent Item Y.**

**REPORT: Council Vice President requested separate discussion on Consent Items B, E, F and J.**

**REPORT: Motion to Approve the Consent Agenda, except for Items B, E, F, J, and Y, made by Councilwoman Cue-Fuente, and seconded by Councilwoman Garcia-Roves. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- A. Request permission to approve the minutes of the Council Meeting held on November 26, 2019. (OFFICE OF THE CITY CLERK)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- B. Proposed resolution authorizing the Mayor or designee to renew health insurance coverage with HCC Life Insurance Company, an Indiana Corporation, for calendar year 2020 at a rate of \$5.40 for each employee/retiree for each month for aggregate stop loss coverage in order that the insurance carrier will pay the City up to \$1,000,000.00 if paid claims exceed the predetermined aggregate stop loss attachment point and renew health insurance coverage for calendar year 2020 at a rate of \$19.60 for single coverage and \$76.47 for family coverage for each employee/retiree for each month for specific excess coverage with no lifetime maximum, for a total annual amount not to exceed \$600,000.00 for calendar year 2020. (RISK MANAGEMENT)

**APPROVED 3-1-3**

**RESOLUTION NO. 2019-150**

*Item was tabled on November 26, 2019 by the City Council until December 10, 2019.*

**REPORT: Robert Lloyd-Still, Risk Manager, 501 Palm Avenue, spoke regarding this item.**

**REPORT: Pete Cabrera City's consultant for health insurance, spoke regarding this item.**

**REPORT: Wayne Pflum, Local 1102, 725 East 1 Avenue, spoke regarding this item.**

**REPORT: Motion to Approve Consent Item B made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 3-1-3 with Council Vice President De la Rosa voting "No", and with Council President Hernandez, Councilwoman Perez, and Councilman Tundidor absent.**

- C. Proposed resolution amending the seven member Defined Contribution Plan Committee by stream lining the membership to five members who shall exercise discretionary authority or control over plan assets, investment options, general operation and general administration of the contribution plans of the City of Hialeah.  
(ADMINISTRATION)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-151**

- D. Request permission to award Hialeah Invitation to Bid No. 2019/20-3230-00-001 - 32 Unit Annex and 33 Unit – Impact Windows and Doors (80 West 6th Street and 525 West 1st Avenue, Hialeah, FL) to C.D.M. Windows & Door, Inc., lowest responsive and responsible bidder, in the amount of \$372,002.25, with \$174,088.50 being the total expense amount for the 32 Units and \$197,913.75 for the 33 Units. Further request a ten percent (10%) contingency allowance to cover any unforeseen issues that may arise during the project, as well as for the reimbursement of engineering and permitting fees, in the amount of \$37,200, for a total cumulative expense amount not to exceed \$409,202.25.  
(DEPT. OF GRANTS AND HUMAN SERVICES)  
(CONSTRUCTION & MAINTENANCE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has successfully provided these services at a number of events to the City over the past several years, and issue a purchase order to The Celebration Source Inc, vendor providing the lowest quotation, for the services of providing mechanical rides and children activity equipment on an as needed basis for events held by the City, in a total cumulative amount not to exceed \$30,000.  
(COMMUNICATION AND SPECIAL EVENT DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and**

**Councilman Tundidor absent.**

**REPORT: Jorge Hernandez, 4800 Palm Avenue, Director of Milander, spoke regarding this item.**

**REPORT: Motion to Approve Consent Item E made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- F. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has met all the specifications to provide the subject services, has successfully provided these services at a number of large events for the City over the past several years, and has a five (5) year contract with the City to provide production services for the City's Independence Day Celebration and has agreed to extend individual service pricing to all other events, and issue a purchase order to Reflections Productions, Inc., to provide staging, lighting, audio and video services for events other than the Independence Day celebration, in a total cumulative amount not to exceed \$50,000.  
(COMMUNICATIONS AND SPECIAL EVENTS DEPT.).

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: Jorge Hernandez, 4800 Palm Avenue, Director of Milander, spoke regarding this item.**

**REPORT: Motion to Approve Consent Item F made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- G. Request permission to cancel the City Council meeting of December 24, 2019 in observance of the Christmas holiday.  
(OFFICE OF THE CITY CLERK)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- H. Request permission to issue a purchase order to Arrow International, Inc., sole source vendor, for the purchase of medical supplies and equipment such as EZ-IO Drills, IO Needles, stabilizers, airtraq video laryngoscope camera and intubation blades, in a total cumulative amount not to exceed \$20,000.  
(FIRE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- I. Proposed resolution authorizing the Mayor or his designee on behalf of the City of Hialeah, Florida, to submit to the United States Department of Housing and Urban Development ("US HUD") the Consolidated Annual Performance Evaluation Report ("CAPER") for program year 18; and to execute any and all agreements, certifications and assurances in furtherance of the programs in the City of Hialeah Action Plan in accordance with US HUD Regulations and requirements; and providing for an effective date.

(DEPT. OF GRANTS AND HUMAN SERVICES)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-152**

- J. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has met all the specifications to provide the needed services and has successfully and consistently provided all chef services for events taking place at Milander Center for Arts and Entertainment, and increase Purchase Order No. 2020-571, issued to Cudello's Personal Chef Services, LLC, to reimburse the chef for food and supply purchases made by the chef on an as needed basis for contracted events held at Milander Center, by an additional amount of \$11,000, for a new total cumulative amount not to exceed \$25,000.  
(COMMUNICATIONS & SPECIAL EVENTS DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: Jorge Hernandez, 4800 Palm Avenue, Director of Milander spoke regarding this item.**

**REPORT: Motion to Approve Consent Item J made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- K. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has met all the specifications to provide the needed services and has successfully and consistently provided these services at a number of events for the City over the past several years including all food services during the City's Independence Day Celebration, and increase Purchase Order No. 2020-583, issued to Cudello's Personal Chef Services, LLC, to pay for contracted event personnel on an as needed basis for events held at the Milander Center, by an additional amount of \$35,000, for a new total cumulative amount not to exceed \$49,500.  
(COMMUNICATIONS & SPECIAL EVENTS DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- L. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has successfully and consistently provided these services at a number of events for the City over the past several years including all food services during the City's Independence Day Celebration and private events held at the Milander Center, and increase Purchase Order No. 2020-584, issued to Cudello's Personal Chef Services, LLC, to pay for chef services on an as needed basis for events held at the Milander Center, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000.  
(COMMUNICATIONS & SPECIAL EVENTS DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- M. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has consistently and successfully provided these services at a number of events for the City over the past several years, and increase Purchase Order No. 2020-574, issued to Exclusive Events By L Corp, for décor services such as linen rental, floral and draping on an as needed basis for contracted events held at the Milander Center, by an additional amount of \$15,500, for a new total cumulative amount not to exceed \$30,000.  
(COMMUNICATIONS & SPECIAL EVENTS DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- N. Request permission to issue a purchase order to MCCI, LLC, for the annual maintenance and support of Laserfiche, the City's electronic document management system, for coverage from December 29, 2019 through December 28, 2020, in a total cumulative amount not to exceed \$26,415.25.  
(INFORMATION TECHNOLOGY DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- O. Proposed resolution authorizing the Mayor or his designee to obtain property insurance coverage with Affiliated FM (Factory Mutual) through Keen, Battle, Mead & Company from December 27, 2019 to December 27, 2020 in an estimated amount not to exceed \$492,601 for the Hialeah Reverse Osmosis Water Treatment Plant of which Miami-Dade County will reimburse the City for its 50% share.  
(RISK MANAGEMENT)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-153**

- P. Proposed resolution approving the expenditure totaling an amount not to exceed \$12,900.00 from the Law Enforcement Trust Fund - *State*, Capital Outlay - equipment to purchase 300 nightsticks-safety lights/flashlight combo kit for the Hialeah Police Department, from GL Distributors, Inc., the lowest quote vendor, such costs having been approved by the Chief of Police.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-154**

- Q. Proposed resolution authorizing a "piggy back contract" pursuant to Hialeah Code of Ordinances § 2-818 and authorizing the City to purchase from Alan Jay Chevrolet-Cadillac, Inc., five 2020 Chevrolet Colorado Crew Cab Work Trucks, approving the expenditure not to exceed \$121,693.10 from the Law Enforcement Trust Fund - *State*/Capital Outlay vehicle account, such costs having been approved by the Chief of Police.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-155**

- R. Proposed resolution authorizing a “Sole-Source” purchase pursuant to City of Hialeah Code of Ordinance §2-817 approving the expenditure totaling an amount not to exceed \$12,785.61 from the Law Enforcement Trust Fund - *State/Capital Outlay*- Equipment to purchase a KeyTrak Guardian VS 64 key system for the Hialeah Police Department, from Key Control Holding, Inc., the sole source provider, such costs having been approved by the Chief of Police.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-156**

- S. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA19-VEL 27.0, to purchase three (3) 2020 Chevrolet Silverado (2500) – Crew Cab 2WD – CC20943, Specification No. 106, from Alan Jay Chevrolet-Cadillac, Inc., in the amount of \$43,192.26 per vehicle, for a total cumulative expense amount not to exceed \$129,576.78.  
(STREETS)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- T. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA19-VEL 27.0, to purchase one (1) 2020 Chevy Tahoe - 2WD – CC15706, Specification No. 31, from AN Motors of Pembroke, LLC, doing business as Autonation Chevrolet Pembroke Pines, in a total cumulative amount not to exceed \$37,681.  
(STREETS)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- U. Report of Scrivener’s Error – Resolution No. 2019-143 of the City Council Meeting of November 12, 2019, was passed and adopted with an error in Section 1. Section 1 of the resolution should be amended as follows:

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 2019-27 granting ~~an interior north side setback of 3.0 feet, where 7.5 feet is the minimum required and allow 8.5 feet rear setback~~ 10 feet rear setback, where 20 feet is the minimum required for the legalization of an aluminum roof terrace; provided the terrace remains open on three sides, and the legalization is completed within 180 days.

The stricken language should have been omitted from Section 1 of the Resolution.

(LAW DEPT.)



**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- V. Proposed resolution accepting a Grant Award from the State of Florida Department of Elder Affairs (“DOEA”) in the amount of \$500,000.00, for facility improvements to the Goodlet Adult Center; authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the Florida Department of Elder Affairs Standard Contract, which is attached hereafter and incorporated herein as Exhibit “A”; and further authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, to execute and deliver all other necessary and customary documents in furtherance thereof on behalf of the City; and providing for an effective date.  
(DEPT. OF GRANTS AND HUMAN SERVICES)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-157**

- W. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the Miami-Dade Public Schools Police as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-158**

- X. Proposed resolution approving the Memorandum of Agreement between the City of Miami, as the sponsoring agency of the UASI Grant Program 2018, under the U.S Department of Homeland Security’s Urban Area Security Initiative (UASI), and the City of Hialeah, as participating agency; accepting the award of a sub-grant in the amount of \$437,945.00 pursuant to said Memorandum of Agreement for approved planning and equipment costs identified in the program budget; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute the Memorandum of Agreement attached hereto and made a part hereof as Exhibit “1”, and any other documents in furtherance hereof.  
(DEPT. OF EMERGENCY MANAGEMENT)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-159**

- Y. Proposed resolution in support of House Bill 829 by the Florida Legislature prohibiting tolls and express lanes on State Road 826 by July 1, 2020.  
(ADMINISTRATION)  
(COSPONSOR: COUNCILWOMAN PEREZ)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION 2019-160**

**REPORT: Motion to Approve Consent Item Y made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- Z. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has successfully and consistently provided these services at a number of events for the City over the past several years, and increase Purchase Order No. 2020-575, issued to Fantasy Designers, Inc., for staging décor services on an as needed basis for contracted events held at the Milander Center, by an additional amount of \$5,100, for a new total cumulative amount not to exceed \$20,000.  
(COMMUNICATIONS & SPECIAL EVENTS DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- AA. Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, for emergency management administrative support services (consulting services) provided by this vendor after Hurricane Irma in order for the City to receive reimbursement from FEMA for damages and expenditures caused by the hurricane, in a total commutative amount not to exceed \$47,270.85. On June 25, 2019 the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – *Emergency Management Administrative Support Services RFP* to this vendor, highest ranked proposer.  
(EMERGENCY MANAGEMENT DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- BB. Proposed resolution accepting a grant award from the Leary Firefighters Foundation in the amount of \$26,429.00, to fund the purchase of a Bullet Attack Digital Fire Training Panel; authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City, to enter into a Grant Agreement, a copy of which is attached hereto and made a part hereof as Exhibit “A”, and providing for an effective date.  
(FIRE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-161**

- CC. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Miami Shores as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-162**

- DD.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Miami Gardens as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-163**

- EE.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of South Miami as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-164**

- FF.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Hialeah Gardens as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-165**

- GG.** Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Opa-Locka as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2025, a copy of which is attached hereto and made a part hereof as Exhibit “1”, and providing for an effective date.  
(POLICE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-166**

**4. ADMINISTRATIVE ITEMS**

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- 4A.** Second reading and public hearing of proposed ordinance approving the Final Plat of Hialeah Pura Vida; accepting all dedication of Avenues, Street, Roads or other Public Ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located on a parcel of land lying within the NE ¼ of Section 11, Township 53 South, Range 40 East, Miami Dade County, Florida, in Hialeah Florida.**  
(ZONING)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**ORDINANCE NO. 2019-112**

<i>Item was approved on first reading by the City Council on November 26, 2019.</i>
<i>Item was approved by the Planning and Zoning Board on October 23, 2019.</i>

**REPORT: Motion to Approve Item 4A made by Councilwoman Cue-Fuentem and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- 4B.** First reading of proposed ordinance approving a Master Lease-Purchase Agreement between the City of Hialeah, as lessee, and Hewlett Packard Enterprise Financial Services Company, a Delaware Corporation, as lessor, to finance the purchase of computer hardware and equipment approved by Council on October 22, 2019 (Item K Consent Agenda), in the total amount of \$180,008.25, including interest payments totaling \$8,353.11, at an annual interest rate of 4.95% payable on a yearly basis beginning on the acceptance date, as defined in the Lease-Purchase Agreement, and every anniversary date thereafter for three years, in the yearly amount of \$60,002.75; authorizing the Mayor or the Chief Information Officer or the Finance Director, as the Mayor's designees, and the City Clerk, as attesting witness, on behalf of the City, to execute the Master-Lease Purchase Agreement in substantial conformity with the Lease-Purchase Agreement attached hereto and made a part hereof as "Exhibit 1" and all other necessary documents in furtherance hereof; providing for penalties in violation hereof; providing for a severability clause; repealing all ordinances in conflict herewith; and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: Motion to Approve Item 4B made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent. Second reading and public hearing is scheduled for January 14, 2020.**

- 4C. Proposed resolution approving the purchase of a one-hundred foot Velocity mid-mount ladder truck manufactured by Pierce and related equipment and attachments, in the total amount not to exceed \$1,457,428.00, from Ten-8 Fire Equipment, Inc., a Florida corporation; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute a purchase contract and all other necessary documents in furtherance hereof in a form acceptable to the City Attorney; and providing for an effective date.  
(FIRE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-167**

**REPORT: Motion to Approve Item 4C made by Councilwoman Cue-Fuente, and seconded by Councilwoman Garcia-Roves. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- 4D. First reading of proposed ordinance authorizing the acquisition, purchase, financing and leasing of certain equipment as described herein; approving a Schedule of Property No. 2 to the Master Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp, as lessor, and the City, as lessee, for the lease purchase, financing of the equipment; authorizing certain other documents required in connection therewith; authorizing all other actions necessary to the consummation of the transactions contemplated by this ordinance; authorizing the Mayor and City Clerk, as attesting witness, to execute the Schedule of Property No. 2 and all other necessary documents on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
(FIRE DEPT.)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: Steve Feron, PFM, City's consultant, addressed the City Council.**

**REPORT: Motion to Approve Item 4D made by Councilman Zogby, and seconded by Councilwoman Cue-Fuente. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent. Second reading and public hearing is scheduled for January 14, 2020.**

## **5. BOARD APPOINTMENTS**

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- 5A. Proposed resolution appointing **John Ulloa** to the Personnel Board of the City of Hialeah, as the Mayor's appointment, for the remainder of a two (2)-year term ending on June 26, 2021. (MAYOR HERNANDEZ)

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**RESOLUTION NO. 2019-168**

**REPORT: Motion to Approve Item 5A made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

## **6. UNFINISHED BUSINESS**

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**REPORT: None**

## **7. NEW BUSINESS**

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**REPORT: None.**

## **8. CITY COUNCIL'S NEW BUSINESS**

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- Council Vice President De la Rosa discussed a Miami-Dade County Request for Proposal for fifty-four inch pipe installation on West 4<sup>th</sup> Avenue from 44<sup>th</sup> to 49<sup>th</sup> Street.
- Armando Vidal, Public Works Director, addressed Council Vice President De la Rosa's questions.

## **9. COMMENTS AND QUESTIONS**

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- Jose Azze, 788 SE Park Drive, addressed the City Council regarding Milander

## Center and Parks and Recreation.

- Juan Santana, 5601 West 10 Avenue, addressed the City Council regarding the Police Department.
- Christopher Manzon, 640 East 27<sup>th</sup> Street, addressed the City Council in regards to apartment developments in the City.
- Elizabeth Garcia, 7410 N Acosta Drive, Hialeah, addressed the City Council regarding the Hialeah Community Coalition.
- Marisola Arceo, 4708 East 9 Lane, addressed the City Council in regards to the Hialeah Community Coalition.
- Milly Herrera, 4341 East 8 Lane, addressed the City Council.

## ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item.

**REPORT: All present were duly sworn in.**

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### *Attention Applicants:*

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

**PZ 1.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow the expansion of an existing 55 student, K-8 school to a 100 student K-12; variance permit to allow 33 95 parking spaces, where 327 are required and allow 9 of those 33 existing parking spaces to back out into the street. **Property located at 5800 Palm Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL JANUARY 14, 2020**

<i>Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.</i>
<i>Item was postponed on November 12, 2019 until November 26, 2019 per the applicant's request.</i>

<i>On October 22, 2019 the City Council postponed the item until November 12, 2019.</i>
<i>Item was approved on first reading by the City Council on October 8, 2019.</i>
<i>On September 25, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition that the school remains with 60 students and 6 staff members until the proposed parking lot is completed. A Declaration of Restrictive Covenants should describe the operational plan, number of students and staff before and after the completion of the parking lot, number of high school students that will be allowed to park on premises, control method to avoid that other high school students park on the swale areas, pick-up and drop-off times and number of parking control employees to manage that process.</i>
<i>Owner of the Property: Daniel Ramos, 5855 West 2 Avenue, Hialeah, Florida 33012 Larry Weeks, 740 SW 61 Avenue, Plantation, Florida 33317 Maria, Elizabeth Vitale, 155 East 61 Street, Hialeah, Florida 33013</i>

- PZ 2.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Properties located at 962, 972 and 980 East 26 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**ORDINANCE NO. 2019-113**

<i>Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.</i>
<i>Item was postponed on November 12, 2019 until November 26, 2019 per the applicant's request.</i>
<i>Item was approved on first reading by the City Council on October 22, 2019.</i>
<i>Registered Lobbyists: Carlos Diaz, 333 SE 2 Avenue, Miami, Florida 33131. Jorge Navarro, 333 Southeast 2nd Avenue, 44<sup>th</sup> Floor, Miami, FL 33131.</i>
<i>On October 2, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>



*Owner of the Property: Eloina G. Rodriguez, Francisco C. Rodriguez, Javier A. Valdes, 962 East 26 Street, Hialeah, Florida 33013.  
Hialeah East 10 LLC, 1474 A West 84 Street, Hialeah, Florida 33014.*

**REPORT: Jorge Navarro, 333 SE 2 Avenue, addressed the City Council.**

**REPORT: Motion to Approve Item PZ 2 made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**PZ 3.** Second reading and public hearing of proposed ordinance granting a variance permit to allow 91.92 feet front setback along NW 102 Avenue, and 126.6 feet front setback along NW 162 Street, where 52 feet is the maximum allowed; allow 0% building frontage along NW 102 Avenue and along NW 162 Street, where 65% is the minimum building frontage required; allow loading and service areas at the front of the building, where loading and service areas are required to be located in the interior blocks; and allow surface parking along NW 162 Street, where surface parking is required in the interior blocks; all contra to Hialeah Code of Ordinances §§ 98-1607.1(c)(3), 98-1607.1(j)(1).a, 98-1607.1(f)(1), and § 98-1607.1(c)(5). **Property located at the northeast corner of NW 102 Avenue and West 108 Street, Hialeah, Florida.** Zoned BDH (Business Development District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**ORDINANCE NO. 2019-114**

*Item was approved by the City Council on first reading on November 26, 2019.*

*Registered Lobbyist: Kristofer D. Machado, Akerman LLP, 98 SE 7<sup>th</sup> Street, Suite 1100, Miami, Florida 33131.*

*On November 12, 2019, the item was approved by the Planning and Zoning Board.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Section 17, LLC- 1525 Gabriel Street, Hollywood, Florida 33020.  
Lloyd Moriber, James Horland, Bruce Schwartz, Melvyn Drucker, Norman Klein, Nadine Samter, Brent Samter and Jordan Samter.*

**REPORT: Kristofer Machado, 98 SE 7<sup>th</sup> Street, addressed the City Council.**

**REPORT: Motion to Approve Item PZ 3 made by Councilman Zogby, and seconded by Councilwoman Cue-Fuente. Motion passed 4-0-3 with Council President Hernandez,**

**Councilwoman Perez and Councilman Tundidor absent.**

**PZ 4.** First reading of proposed ordinance allowing for the site plan signed and sealed and dated March 14, 2019 by Alan D. Lerner, registered architect, and granting a variance permit to allow a rear setback of 38 feet, where 45 are required; allow a pervious area of 15.43 percent, where 20 percent is required; allow parking at the front and side of the property, where all parking is required in the rear; and allow seven occupational licenses, where no more than two occupational licenses are allowed; all contra to Hialeah Code of Ordinances §§ 98-781(2), 98-781(5), 98-782 and 98-778(2). **Property located at 135 West 49 Street, Hialeah, Florida.** Property zoned RO (Residential Office). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

<i>Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, FL.</i>
<i>Item was postponed on October 8, 2019 until November 26, 2019 per the applicants request.</i>
<i>Item was postponed on September 10, 2019 until September 24, 2019, per applicant's request.</i>
<i>Item was postponed on August 27, 2019 per the applicant's request.</i>
<i>Registered Lobbyists: Brian S. Adler, Bilzin, Sumberg, 1450 Brickell Avenue, Suite 2300, Miami, FL. Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, FL</i>
<i>Item was postponed by the City Council on May 14, 2019, May 28, 2019, June 11, 2019, June 25, 2019 and August 13, 2019.</i>

<p><i>On April 24, 2019 the item was approved by the Planning and Zoning Board with the following conditions:</i></p> <ol style="list-style-type: none"> <li><i>1. The maximum number of business tax receipts for the facility is limited to seven. Notwithstanding the seven issued business tax receipts, no more than three of the seven doctors shall be located at the facility at any given time.</i></li> <li><i>2. Should property be converted to a use other than an endoscopy/gastrointestinal center, the maximum number of business tax receipts shall revert to a maximum of two unless otherwise approved by the City of Hialeah City Commission or otherwise permitted under the City of Hialeah Code.</i></li> <li><i>3. The facility shall provide a valet parking or a parking attendant at a minimum during workdays between the hours of 7:00 a.m. to 12:00 p.m.</i></li> <li><i>4. The facility shall encourage employees to utilize public transportation, drop-off or carpooling.</i></li> <li><i>5. The facility shall maintain and/or provide patients with the name of transportation and or pickup services utilized at the property to encourage patients to use the transportation facilities rather than driving separately to the facility.</i></li> </ol>
<p><i>Planner's Recommendation: Approve rear setback, pervious area and parking location variances and allow a maximum of four occupational licenses.</i></p>
<p><i>Owners of the Property: Torres Hialeah Investment, LLC., 4791 West 4<sup>th</sup> Avenue, Hialeah, Florida 33012.</i></p>

**REPORT: Brian Adler, 1450 Brickell Avenue, addressed the City Council and provided with the City Clerk with additional documentation for the record as backup to the item.**

**REPORT: Cesar Mestre, 8105 NW 155 Street, Miami Lakes, addressed the City Council.**

**REPORT: Deborah Storch, Planning and Zoning Director, addressed the City Council.**

**REPORT: Motion to Approve Item PZ 4 made by Councilwoman Cue-Fuente, and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent. Second reading and public hearing is scheduled for January 14, 2020.**

### **LAND USE**

**LU 1.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential. **Property located at 381 East 50 Street, Hialeah, Florida**, zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
**POSTPONED UNTIL JANUARY 14, 2020.**

<p><i>Item was approved by the City Council on first reading on November 26, 2019.</i></p>

<i>Registered Lobbyist: L. Michael Osman, 1474 A-West 84 Street, Hialeah, Florida 33014.</i>
<i>On November 12, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Bienvenida Perez, 8144 NW 163 Terrace, Miami Lakes, Florida 33016. Jorge A. Perez, 8144 NW 163 Terrace, Miami Lakes, Florida 33016.</i>

**REPORT: Michael Osman, 1474 A-West 84 Street, addressed the City Council requesting for the item to be deferred until January 14, 2020.**

**REPORT: Motion to Table Item LU 1 until January 14, 2020 made by Councilwoman Cue-Fuente and seconded by Councilman Zogby. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: Council Vice President De la Rosa called a recess at 9:19 p.m.**

**REPORT: Council Vice President De la Rosa called the meeting to order at 9:21 p.m.**

**LU 2.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District. **Property located at 1101 East 33 Street, Hialeah, Florida**, zoned M-1 (Industrial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

### **ORDINANCE NO. 2019-115**

<i>Item was approved by the City Council on first reading on November 26, 2019.</i>
<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131.</i>
<i>On November 12, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: George H. Scholl and Dione Del Monico, 334 Atlantic Isle, Sunny Isles Beach, Florida 33160. Steven Rhodes, 8 Farrey Lane, Miami Beach, Florida 33139.</i>

**REPORT: Javier Vazquez, 1450 Brickell Avenue, addressed the City Council.**

**REPORT: Milly Herrera, 4341 East 8<sup>th</sup> Lane, addressed the City Council in opposition to the approval of this item.**

**REPORT: Motion to Approve Item LU 2 made by Councilman Zogby, and seconded by Councilwoman Cue-Fuente. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

- LU 3.** First reading of proposed ordinance amending the Future Land Use Map from Commercial to Transit Oriented Development District. **Property located at 995 East 25 Street, Hialeah, Florida**, zoned C-2 (Liberal Retail Commercial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **WITHDRAWN**

*Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.*

*On November 12, 2019, the item was approved by the Planning and Zoning Board with the condition that the owner's consent letter is provided before the City Council meeting on November 26th, 2019.*

*Planner's Recommendation: Approval.*

*Owner of the Property: MF Investments, LLC, Maria C. Fernandez and Raquel Fernandez 18520 NW 67 Avenue, Suite 265, Hialeah, Florida 33015.*

- LU 4.** First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Medium Density Residential. **Property located at 840 and 860 SE 8 Avenue, Hialeah, Florida**, zoned R-1 (One Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL JANUARY 14, 2020.**

*On November 26, 2019 the recommendation of denial from the Planning and Zoning Board was overridden by the City Council.*

*On November 12, 2019, the item was denied by the Planning and Zoning Board.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Mitchell Sabina (New Spot, LLC) 7767 NW 146 Street, Miami Lakes, Florida 33016.  
Michael Osman (Oakwood on Main, LLC) 147- A West 84 Street, Hialeah, Florida 33014*

**REPORT: Michael Osman, 1474 A-West 84 Street, addressed the City Council requesting for the item to be deferred until January 14, 2020.**

**REPORT: Motion to Table Item LU 4 until January 14, 2020 made by Councilman Zogby, and seconded by Councilwoman Cue-Fuente. Motion passed 4-0-3 with Council President Hernandez, Councilwoman Perez and Councilman Tundidor absent.**

**REPORT: The meeting was adjourn by Council Vice President De la Rosa at 9:32 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, January 14, 2020 at 7:00 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 11, 2020 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).